

## Appendix A

### EXCLUSIONS

The following matters may not be grieved under the provisions of the Administrative Grievance System:

- a. The content of established agency regulations and policy.
- b. Any matter covered by a negotiated grievance procedure or subject to formal review and adjudication by the Merit Systems Protection Board (MSPB), the Office of Personnel Management (OPM), the Federal Labor Relations Authority (FLRA), the Equal Employment Opportunity Commission (EEOC); any matter that the employee files under another review procedure, a reconsideration procedure, or a dispute resolution process within the agency or DoD.
- c. Nonselection for promotion from a group of properly ranked and certified candidates or failure to receive a non-competitive promotion.
- d. A preliminary notice of an action which, if effected, would be grievable or appealable in another forum.
- e. The substance of performance objectives/responsibilities and standards.
- f. Determinations concerning awards, additional step increases, recruiting or relocation bonuses, retention allowances, additional pay allowances, supervisory differentials, critical position pay, or dual compensation waivers.
- g. Any action taken under a voluntary, formal agreement entered into by an employee involving geographic relocation or return from an overseas assignment.
- h. Termination of a probationer; return of an employee serving supervisory or managerial probation to a nonsupervisory or nonmanagerial position; separation or termination of an employee during a trial period.
- i. The performance evaluation of a Senior Executive Service (SES) member; the granting of or failure to grant an SES rank award or performance award (including the amount of the award.)

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j. Reassignment of an SES member following receipt of an unsatisfactory rating; the return of an SES career appointee to another pay system during the 1-year period of probation for less than fully successful executive performance or for failure to be recertified; the conditional recertification of an SES career appointee; termination of an SES career appointee during probation for unacceptable performance.

k. Termination or expiration of a time-limited excepted appointment, a term or temporary appointment or promotion, or an SES limited emergency or limited term appointment on the date specified as a condition of employment at the time the appointment or promotion was made.

l. The termination of a term or temporary promotion at any time other than the time specified as a condition of employment at the time the appointment or promotion was made, provided the employee was informed in advance of the temporary nature of the promotion and the employee was returned to his or her former position or to a different position of equivalent pay and grade.

m. SES or Senior Level pay rate changes.

n. A separation or termination action, except as provided for CIPMS employees.